

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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NATIONAL AUDUBON SOCIETY,

Plaintiff,

-v-

DAVID BERNHARDT, et al.,

Defendants,

BOROUGH OF AVALON, et al.,

Intervenors-Defendants.,
-----X

20-cv-5065 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Pursuant to a stipulated briefing schedule, Defendants moved to dismiss the claims and cross-claims in this action on October 2, 2020, Dkt. No. 38, and Plaintiff opposed that motion and cross moved for summary judgment on November 6, 2020, Dkt. No. 49. The parties completed briefing on January 15, 2021.


On February 23, 2021, upon the joint request of the parties, the Court entered a stipulation and consent order staying the case for 60 days while the interpretation of the Coastal Barrier Resources Act at issue in this action was being re-reviewed by the federal government. Dkt. No. 73. The Court entered a second stipulation and consent order staying the case on April 23, 2021 for an additional 60 days. Dkt. No. 76. The Court granted a third stay in this action on June 23, 2021. Dkt. No. 79.

Given the continued stay, the Court directs the Clerk of Court to close Dkt. Nos. 38, 49. The Court grants the parties leave to reopen their respective motions by filing a letter at the end

of the stay, in which event the Court will treat the papers that have been filed to date as the complete briefings and will decide the motions.

SO ORDERED.

Dated: July 2, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge